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MOTOROLA, INC.
CORPORATE LAW DEPARTMENT - #56-238
3102 NORTH 56TH STREET
PHOENIX AZ 85018

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MAY 19 2004

OFFICE OF PETITIONS

In re Application of :
Rosenstock, Dykiel, Lagueux, and :
Duthie : DECISION ACCORDING STATUS
Application No. 10/676,744 : UNDER 37 CFR 1.47(a)
Filed: 30 September, 2003 :
Atty Docket No. IS01409MCG :
:

This is in response to the renewed petition filed under 37 CFR 1.47(a) on 3 May, 2004.

The petition is GRANTED.

Petitioners have shown that non-signing inventors Dykiel and Lagueux cannot be found, while joint inventor Duthie has refused to sign the declaration after being presented with the application papers. Specifically, the affidavits of V. Lynn Webb filed with the present renewed petition, and the original petition, establish that attempts were made to locate non-signing Dykiel and Lagueux inventors by mail, however the application papers sent to the inventors were returned as undeliverable and refused, respectively. Additionally, joint inventor Duthie failed to sign and return the declaration after being mailed a copy of the application papers and contacted by telephone and email. Previous communications by email additionally show that Dykiel and Lagueux indicated an unwillingness to sign the declaration.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the renewed petition, not the declaration. Notice of the filing of this application will also be published in the Official Gazette.

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The application is being forwarded to Technology Center 3600 for examination in due course.

Telephone inquiries related to this decision should be directed to the undersigned at 703-308-6918.



Douglas I. Wood
Senior Petitions Attorney
Office of Petitions



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Richard A. Lagueux
11 Pinewood Road
Hudson NH 03051-3416

In re Application of
Rosenstock et al.
Application No. 10/676,744
Filed: 30 September, 2003
For: METHOD AND APPARATUS FOR LIMITING STANDBY SUBNET MANAGERS

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Dear Mr. Lagueux:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at 703/308-6918. Requests for information regarding your application should be directed to the File Information Unit at 703/308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 703/308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

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Peter Duthie
12 Namara Place
Engadine, New South Wales 2233
AUSTRALIA

In re Application of
Rosenstock et al.
Application No. 10/676,744
Filed: 30 September, 2003
For: METHOD AND APPARATUS FOR LIMITING STANDBY SUBNET MANAGERS

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Dear Mr. Duthie:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

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Richard Dykiel
29 Ethan Allen Drive
Acton MA 01720

In re Application of
Rosenstock et al.
Application No. 10/676,744
Filed: 30 September, 2003
For: METHOD AND APPARATUS FOR LIMITING STANDBY SUBNET MANAGERS

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Dear Mr. Dykiel:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

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